

2013 DRAFTING REQUEST

Bill

Received: **1/16/2013** Received By: **mkunkel**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Boggs**
May Contact: Drafter: **mkunkel**
Subject: **Higher Education - miscellaneous** Addl. Drafters:
Extra Copies: **PG**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Boggs, BB0372 -

Topic:

Credit transfer policies

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 1/22/2013			_____			
/P1	mkunkel 1/29/2013	wjackson 1/22/2013	phenry 1/22/2013	_____	mbarman 1/22/2013		
/P2		wjackson 1/29/2013	jfrantze 1/29/2013	_____	srose 1/29/2013		

FE Sent For:

<END>

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/P1		wjackson 1/22/2013	phenry 1/22/2013	_____	mbarman 1/22/2013		

FE Sent For:

/p2 Wlj 1/29
1/29
<END>
Jm
1/29

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/?	mkunkel	/pl wgy 1/22		_____			

FE Sent For:

<END>

Kunkel, Mark

From: Hanaman, Cathlene
Sent: Saturday, January 12, 2013 2:09 PM
To: Grant, Peter; Kunkel, Mark
Subject: FW: Statutory Language Drafting Request - BB0372

From: Breann.Boggs@wisconsin.gov [mailto:Breann.Boggs@wisconsin.gov]
Sent: Saturday, January 12, 2013 2:06 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Boggs, Breann C - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0372

Biennial Budget: 2013-15

DOA Tracking Code: BB0372

Topic: Core Credit Transfer

SBO Team: EWD

SBO Analyst: Boggs, Breann - DOA
Phone: (608) 266-2843
E-mail: Breann.Boggs@wisconsin.gov

Agency Acronym: UW

Agency Number: 285

Priority: High

Intent:

Under current law [s.36.11 (3)], the Board of Regents is required to establish credit-transfer policies for institutions within the UW system, including the designation of courses that may transfer without loss of credit toward graduation or toward completion of a specific course of study; policies for credit transfer with other educational institutions outside the system; and they are required to maintain a computer-based credit transfer system, that includes all transfer of credit between institutions within the system, program-specific course requirements in the system, technical college collegiate transfer program offerings, and other courses for which transfer of credits is accepted.

Add additional language that would require the Board of Regents to establish a credit transfer policy that identifies thirty core (general education) credits that would transfer between institutions of higher education within the UW System, with educational institutions outside the system, and with technical college program offerings, without loss of credit towards graduation or course of study. The Board of Regents ~~must work~~ with the Technical College System Board and representative(s) from the board(s) of trustee(s) of independent colleges or universities in this state to establish this policy.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov

Kunkel, Mark

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Friday, January 18, 2013 10:52 AM
To: Kunkel, Mark
Subject: Core Credit Transfer

Hi Mark,

Two additions to the Core Credit Transfer draft (BB0372).

The Gov's office has requested a "notwithstanding" clause referencing s. 36.09 (4) which gives faculty primary responsibility over academic and educational activities.

Also, the thirty core credit transfer agreement should be completed and implemented by the start of Fall 2014 academic year (which would have different start dates depending on the institution). If the "Fall 2014 academic year" reference doesn't work – then we should use a date-certain – August 1, 2014.

Thanks!

Breann C. Boggs
State Budget Office
Executive Budget and Policy Analyst
608.266.2843
breann.boggs@wisconsin.gov

deemed peace officers under s. 939.22 (22) under the supervision and control of the appropriate chancellor or the chancellor's designees. Such police officers shall meet the minimum standards established for other police officers by the law enforcement standards board or a comparable agency. Such police shall preserve the peace on all property described under par. (a), enforce all rules promulgated under this chapter and all other laws, and for that purpose the chancellor or the chancellor's designee may call for aid from such other persons as is deemed necessary.

Cross-reference: See also ch. UWS 18, Wis. adm. code.

(3) ADMISSION OF APPLICANTS. (a) The board shall establish the policies for admission within the system and within these policies each institution shall establish specific requirements for admission to its courses of instruction. No sectarian or partisan tests or any tests based upon race, religion, national origin of U.S. citizens or sex shall ever be allowed in the admission of students thereto.

(b) The board shall establish policies for the appropriate transfer of credits between institutions within the system, including the designation of those courses which shall be transferable between and within institutions without loss of credit toward graduation or toward completion of a specific course of study.

(c) The board may establish policies for the appropriate transfer of credits with other educational institutions outside the system.

(cm) The board shall establish and maintain a computer-based credit transfer system that shall include, but not be limited to, the following:

1. All transfers of credit between institutions within the system.
2. Program-specific course requirements in the system.
3. Technical college collegiate transfer program offerings, as defined in s. 38.01 (3).
4. Other courses for which the transfer of credits is accepted under par. (b) or (c).

(d) 1. Except as provided in subd. 2., the board shall require that a \$44 fee accompany each application for admittance from persons seeking admittance to any school within the system as new freshmen or as transfer students from outside the system. The board may exempt from the fee under this subdivision, on the basis of financial need, a maximum of 5% of the applications in any school year. The board shall ensure that no less than \$9 of the fee is used for admission application expenses.

2. The board shall require that a \$56 fee accompany each application for admittance to a graduate school, law school or medical school within the system. The board shall ensure that no less than \$11 of the fee is used for admission application expenses.

3. Of the fee received with each application under subds. 1. and 2., the board shall provide \$3 for the support of the higher education location program under s. 36.25 (36).

(4) INJUNCTIVE RELIEF. The board may obtain injunctive relief to enforce this chapter or any rules promulgated under this chapter.

(5) INSURANCE. (a) The board may procure liability insurance covering the members of the board, any officer, employee or such students whose activities may constitute an obligation or responsibility of the system.

(b) The board may procure insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. The board may not use general purpose revenue to pay for such insurance. With respect to any of the risks to be covered by the insurance, the board may contract for the services of a claims administrator and may obtain coverage by any combination of self-insurance, excess or stop-loss insurance or blanket insurance.

(6) FINANCIAL AIDS. (a) The board may:

1. Make grants to students from funds budgeted to or controlled by the system and formulate policies and promulgate rules for the grants.

2. Make grants equivalent in value to the payment of incidental fees to disabled residents of the state who are recommended and supervised by the department of workforce development under s. 47.02.

(b) The board may not make a grant under par. (a) to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

(c) By April 10, 1998, and annually thereafter, the board shall develop and submit to the higher educational aids board for its review under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students enrolled in the system.

(7) CONFER DEGREES. The board may confer such degrees and grant such diplomas as are usual in universities or as it deems appropriate.

(8) PARKING RULES. (a) The board may make general policies and shall authorize the chancellors to adopt rules regulating the parking of motor vehicles on property under their jurisdiction. Such rules shall not be subject to ch. 227.

(b) The board shall establish fines for the violation of any rule made under par. (a). The institutions are authorized to collect such fines together with moneys collected from the sale of parking permits and other fees established under par. (a), to be used only for the purpose of developing and operating parking or other transportation facilities at the institution at which collected and for enforcing parking rules under par. (a).

Cross-reference: See also s. UWS 18.05, Wis. adm. code.

(8e) PARKING FEES. The board shall direct each institution within the system to charge a parking fee for the parking of motor vehicles by students, faculty, academic and classified staff and visitors at campus. The board shall require the fee to be sufficient to recover the costs of the construction and maintenance necessary for the parking facilities. Nothing in this paragraph shall be deemed to require the recovery of the costs of land for parking facilities. Nothing in this paragraph shall be deemed to require that all users of the parking facilities be charged a parking fee. College campus facilities owned by a county are not required to charge a parking fee.

Cross-reference: See also s. UWS 18.06, Wis. adm. code.

(8m) TRANSPORTATION PLANNING. The board shall direct the administrative officers of each campus to work with the regional planning commissions and the local authorities of the community in which the campus is located to evaluate the transportation needs of the campus population. The board shall require each campus to develop a transportation plan for the campus to effect energy resource conservation and efficient use of transportation resources. The plan shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools and, to the extent feasible, improved mass transit services. The transportation plans shall detail parking management strategies which provide incentives for the use of mass transit and high occupancy vehicles.

(9) CONDEMNATION. The board may acquire by condemnation proceedings under ch. 32 such parcels of land as it deems necessary for the use of any institution whenever the board is unable to agree with the owner upon the compensation therefor, or whenever the absence or legal incapacity of such owner, or other cause, prevents or unreasonably delays, such agreement.

(10) UNIVERSITY FUND. The board may expend such portion of the income of the university fund on or at the University of

36.31 Coordination with other educational agencies.

36.31(1)

(1) The board shall not, without the approval of the technical college system board, broaden the system's post-high school training mission to include the preparation of persons for semiprofessional or skilled-trade occupations beyond those offered during the 1972-73 academic year. The technical college system board shall not, without the approval of the board of regents, broaden its system's collegiate transfer program offerings beyond those in existence during the 1972-73 academic year. In this section, "collegiate transfer program" has the meaning given in s. 38.01 (3).

36.31(2)

(2) The technical college system board, in agreement with the board may designate courses other than those covered under sub. (1) as transferable for collegiate credit between the 2 systems.

36.31(3)

(3) The fees for services charged in the national direct student loan servicing contract to the board by the higher educational aids board must be approved by the secretary of administration.

36.65 Annual reports.

36.65(1)

(1) **DEFINITION.** In this section, "chancellor" means the chancellor of the University of Wisconsin-Madison.

36.65(2)

(2) (intro.) **REPORTS.** Annually, the board and the chancellor shall each submit an accountability report to the governor and to the legislature under s. 13.172 (2). The reports shall include all of the following information, the board's report with respect to the system other than the University of Wisconsin-Madison, and the chancellor's report with respect to the University of Wisconsin-Madison:

36.65(2)(a)

(a) **Performance.** The graduation rate, the total number of graduates, the time needed to graduate, the number of credits needed to obtain a degree, retention rates, placement of graduates, and the percentage of residents and nonresidents who reside in this state 10 years after graduation.

36.65(2)(b)

(b) **Financial.** Financial reports from each institution and each college campus, prepared using generally accepted accounting principles.

36.65(2)(c)

(c) **Access and affordability.** A profile of enrolled students, including mean per capita family income, the percentage of resident and nonresident students who are low-income, the percentage of resident and nonresident students who are members of minority groups, the number of transfers from other institutions and other colleges within this state, the published cost for resident students and the actual cost for resident students once financial aid is subtracted, and increases in available institutional financial aid for students with a demonstrated need.

☒ ☒ ☒ 20.292(1)(dm)

(dm) Aid for special collegiate transfer programs. The amounts in the schedule for aid to special collegiate transfer programs under s. 38.28 (4).

☒ ☒ ☒ 36.11(3)(cm)3.

3. Technical college collegiate transfer program offerings, as defined in s. 38.01 (3).

☒ ☒ ☒ 36.31(1)

(1) The board shall not, without the approval of the technical college system board, broaden the system's post-high school training mission to include the preparation of persons for semiprofessional or skilled-trade occupations beyond those offered during the 1972-73 academic year. The technical college system board shall not, without the approval of the board of regents, broaden its system's collegiate transfer program offerings beyond those in existence during the 1972-73 academic year. In this section, "collegiate transfer program" has the meaning given in s. 38.01 (3).

☒ ☒ ☒ 38.001(3)(b)

(b) Provide a collegiate transfer program.

☒ ☒ ☒ 38.01(3)

(3) "Collegiate transfer program" means a statewide, full-time program, designated and approved by the board, in which the credits earned may be transferable to a 4-year institution of higher education.

☒ ☒ ☒ 38.04(4)(c)

(c) Collegiate transfer programs shall not comprise more than 25% of the approved credit hours offered in any technical college district.

☒ ☒ ☒ 38.12(8)(b)

(b) The district boards shall actively coordinate, with the institutions within the University of Wisconsin System, the sharing of programs and facilities, including the collegiate transfer program, adult education and evening courses and part-time student and associate degree programs, in order to reduce the duplication of such programs and facilities.

☒ ☒ ☒ 38.24(1g)

(1g) OPERATIONAL COSTS. Annually, by January 1, the board shall estimate the statewide operational cost per full-time equivalent student in collegiate transfer programs and postsecondary and vocational-adult programs for the next fiscal year. The board shall furnish each district board with definitions of statewide operational costs per full-time equivalent student and shall establish procedures for determining operational cost per full-time equivalent student.

☒ ☒ ☒ 38.24(1m)(a)

(a) Liberal arts collegiate transfer programs. Uniform fees based on not less than 31% of the statewide average operational costs of liberal arts collegiate transfer programs in district schools.

☒ ☒ ☒ 38.24(5)(b)

(b) (intro.) The district board shall grant full remission of fees under sub. (1m) (a) to (c) to any resident student who is enrolled in a program leading to an associate of arts degree, a collegiate transfer program or a vocational diploma program and who is any of the following:

☒ ☒ ☒ 38.28(1m)(a)2.

2. "District aidable cost" for any district that does not have an institution or college campus located in the district does not include costs associated with the collegiate transfer program at the district school. In this subdivision,

"institution" and "college campus" have the meanings specified under s. 36.05.

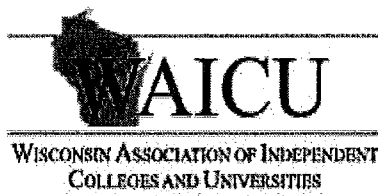
☐ ☒ ☒ 38.28(4)

(4) From the appropriation under s. 20.292 (1) (dm), the board shall annually pay to any district that does not have an institution or college campus located within the district an amount equal to that portion of the instructional costs of the district's **collegiate transfer program** not supported by fees and tuition that is equal to the state support of similar programs in the University of Wisconsin System, as determined by the board. In this subsection, "institution" and "college campus" have the meanings specified under s. 36.05.

LOGIN

SEARCH

GO



HOME

WHO WE ARE

OUR MEMBERS

NEWSROOM

FACTS

- Students
- Counselors
- PrivateCollegeZone
- College Readiness
- Internships
- Financial Aid
- Veterans
- Publications
- Support Our Students
- WAICU Collaboration Project
- Member Services
- Transcript Requests
- Workforce
- U-CAN

University and College
Accountability Network

Our Members

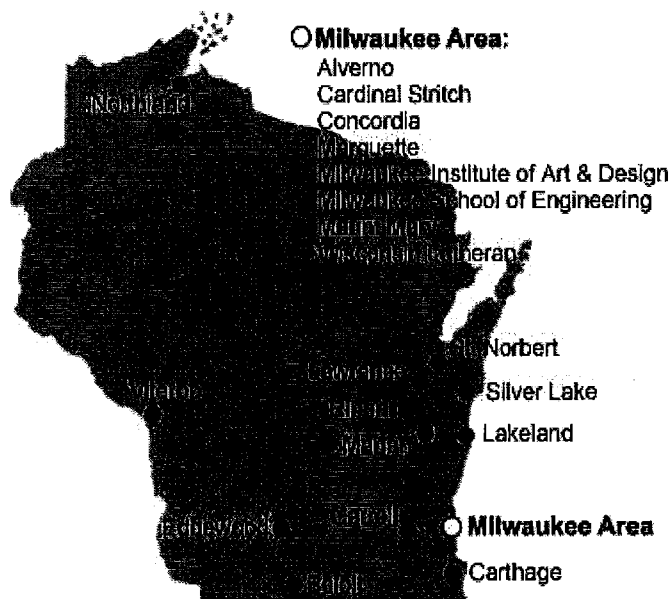
All colleges and universities listed are accredited by the Higher Learning Commission of the North Central Association.

◆ Milwaukee Area:
Alverno
Cardinal Stritch
Columbia College of Nursing
Concordia
Marquette
Medical College of Wisconsin
Milwaukee Institute of Art & Design
Milwaukee School of Engineering
Mount Mary
Wisconsin Lutheran



Alverno College
Bellin College
Beloit College
Cardinal Stritch University
Carroll University
Carthage College
Columbia College of Nursing
Concordia University Wisconsin
Edgewood College
Lakeland College
Lawrence University
Marian University

Marquette University
Medical College of Wisconsin
Milwaukee Institute of Art & Design
Milwaukee School of Engineering
Mount Mary College
Northland College
Ripon College
St. Norbert College
Silver Lake College of the Holy Family
Viterbo University
Wisconsin Lutheran College



**WAICU: Wisconsin's private colleges working
 together to advance educational opportunity.**

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 122 W. Washington Ave, Suite 700 - Madison, WI 53703-2723 Ph: (608) 256-7761 Fx: (608) 256-7065

**Lac Courte Oreilles Ojibwa
Community College**

Ray Burns

13466 West Trepania Rd

Hayward, WI 54843

715.634.4790

Fax: 715.634.5049

www.lco.edu

College of Menominee Nation

Dr. Verna Fowler, President

PO Box 1179

Keshena, WI 54135

715.799.5600

Toll Free: 1.800.567.2344 Fax: 715.799.1308

www.menominee.edu

Kunkel, Mark

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Monday, January 21, 2013 12:56 PM
To: Kunkel, Mark
Subject: WAICU reference - Core Credit transfer

Hi Mark,

Maybe we can refer to WAICU directly – in the Core Credit Transfer agreement language – like in this reference below:

36.11(31)

Cooperative research on education programs. The board shall enter into a written agreement with the department of public instruction, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities to cooperatively conduct research on preschool through postsecondary education programs under s. 115.297, except as provided in s. 115.297 (5) (b).

~B

Breann C. Boggs
State Budget Office
Executive Budget and Policy Analyst
608.266.2843
breann.boggs@wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1199/P1

MDK:/.....

WLJ

O-NOTE

DOA:.....Boggs, BB0372 - Credit transfer policies

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

puF ✓

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

✓ EDUCATION

✓ HIGHER EDUCATION

Current law requires the Board of Regents of the UW System to establish policies for transferring credits between institutions within the system. The policies must designate the courses that are transferable without loss of credit toward graduation or toward completion of a specific course of study. In addition, current law allows the Board of Regents to establish policies for transferring credits with educational institutions outside the system. Current law also allows the technical college system board (to) in agreement with the Board of Regents, (designate) courses that are transferable for collegiate credit between the technical college system and the UW System.

This bill requires the following to enter into an agreement regarding transfer of credit for certain courses: the Board of Regents, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities (association). The association's membership consists of private, nonprofit institutions of higher education in this state. The courses subject to the agreement are "core general education courses," which the bill defines as courses generally required for an undergraduate degree that are prerequisite or otherwise in addition to the courses required for an undergraduate degree in a specific course of study. The agreement must ensure that, beginning in the 2014-15 academic year, not (less) than

fewer

30 credits of such courses are transferable within and between each UW school, technical college, and member institution of the association. The agreement must also ensure that the courses are transferrable without loss of credit toward graduation or toward completion of a specific course of study. The bill also requires the Board of Regents to include information about the agreement in an annual report current law requires the Board of Regents to submit to the governor and ^{the} legislature. Also, the bill requires the Board of Regents to include the courses in a computer-based credit transfer system that is required under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 36.11 (3) (b) of the statutes is amended to read:

2 36.11 (3) (b) The Subject to s. 36.31 (2m), the board shall establish policies for
3 the appropriate transfer of credits between institutions within the system, including
4 the designation of those courses which shall be transferable between and within
5 institutions without loss of credit toward graduation or toward completion of a
6 specific course of study.

History: 1973 c. 335; 1975 c. 39, 41, 224, 400; 1977 c. 29, 418; 1979 c. 32 s. 92 (8); 1979 c. 221; 1981 c. 20; 1983 a. 27, 366; 1983 a. 435 s. 7; 1983 a. 484; 1985 a. 62, 120; 1985 a. 332 ss. 47, 49, 50; 1985 a. 332 s. 251 (1); 1987 a. 27, 287; 1989 a. 31, 56, 121, 177, 359; 1991 a. 39, 203, 250, 269, 285, 315; 1993 a. 16, 213, 227, 399; 1995 a. 27 ss. 1757 to 1762y, 9130 (4); 1995 a. 201, 404, 448; 1997 a. 3, 27, 128, 237; 1999 a. 9, 29; 1999 a. 150 ss. 7, 351; 2001 a. 16, 22; 2003 a. 33, 69, 149, 282; 2005 a. 25, 253, 324, 470; 2007 a. 20, 85, 125; 2009 a. 28, 59, 302; 2011 a. 32, 175.

7 **SECTION 2.** 36.11 (3) (c) of the statutes is amended to read:

8 36.11 (3) (c) The Subject to s. 36.31 (2m), the board may establish policies for
9 the appropriate transfer of credits with other educational institutions outside the
10 system.

History: 1973 c. 335; 1975 c. 39, 41, 224, 400; 1977 c. 29, 418; 1979 c. 32 s. 92 (8); 1979 c. 221; 1981 c. 20; 1983 a. 27, 366; 1983 a. 435 s. 7; 1983 a. 484; 1985 a. 62, 120; 1985 a. 332 ss. 47, 49, 50; 1985 a. 332 s. 251 (1); 1987 a. 27, 287; 1989 a. 31, 56, 121, 177, 359; 1991 a. 39, 203, 250, 269, 285, 315; 1993 a. 16, 213, 227, 399; 1995 a. 27 ss. 1757 to 1762y, 9130 (4); 1995 a. 201, 404, 448; 1997 a. 3, 27, 128, 237; 1999 a. 9, 29; 1999 a. 150 ss. 7, 351; 2001 a. 16, 22; 2003 a. 33, 69, 149, 282; 2005 a. 25, 253, 324, 470; 2007 a. 20, 85, 125; 2009 a. 28, 59, 302; 2011 a. 32, 175.

11 **SECTION 3.** 36.11 (3) (cm) 5. of the statutes is created to read:

12 36.11 (3) (cm) 5. Core general education courses that are subject to the
13 agreement required under s. 36.31 (2m). ✓

14 **SECTION 4.** 36.31 (2m) of the statutes is created to read:

15 36.31 (2m) (a) In this subsection:

1 1. "Core general education courses" means courses generally required for an
2 undergraduate degree that are prerequisite or otherwise in addition to the courses
3 required for an undergraduate degree in a specific course of study.

4 2. "School" means an institution or college campus within the system; a
5 technical college within the technical college system; or a ~~private~~ private, nonprofit
6 institution of higher education that is a member of the Wisconsin Association of
7 Independent Colleges and Universities.

8 (b) Notwithstanding s. 36.09 (4), the board of regents, ^{the} technical college system
9 board, and the Wisconsin Association of Independent Colleges and Universities shall
10 enter into and implement an agreement that identifies core general education
11 courses totaling not ^{fewer} ~~less~~ than 30 credits and that establishes policies for ensuring
12 that, beginning in the 2014-15 academic year, credits for completing the courses are
13 transferable between and within each school without loss of credit toward
14 graduation or toward completion of a specific course of study.

15 **SECTION 5.** 36.65 (3) of the statutes is created to read:

16 36.65 (3) CORE GENERAL EDUCATION CREDIT TRANSFERS. The board shall include
17 in the report required under sub. (2) [✓] a description of the ~~credit transfer~~ agreement entered into
18 under ^{s.} 36.31 (2m) and a summary of the board's implementation of the agreement.
19 This subsection first applies to the report required under sub. (2) that applies to the
20 ^e ~~the~~ 2014-15 academic year.

21 **SECTION 6.** 38.04 (4) (cm) of the statutes is created to read:

22 38.04 (4) (cm) The board shall enter into the ⁹ ~~credit transfer~~ agreement required
23 under s. 36.31 (2m). [✓]

24 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1199/P1dn

MDK:/:....

WLJ

Date

Breann Boggs:

Please review this draft to make sure it achieves your intent. Also note the following:

1. Under the draft, the credit transfer agreement applies at the private institutions ^{that} ~~who~~ are members of the Wisconsin Association of Independent Colleges and Universities (WAICU). The private institutions might argue that, although the state can use its police powers relating to health, safety, and welfare to regulate certain aspects of private higher education, the draft exceeds those powers. Also, religious institutions might argue that the draft impermissibly intrudes on rights to provide religious education that are protected by the First Amendment. If you want me to research these issues, please let me know. If you are concerned about challenges based on these issues, you could revise the draft to allow, but not require, WAICU, on behalf of its members, to participate in the agreement. On the other hand, if you think that private institutions are not likely to challenge the draft, no revisions may be necessary.
2. Tribally ^{or} controlled colleges are not subject to the draft. Is that okay?
3. Is the definition of "core general education course^s" in proposed s. 36.31 (2m) (a) 1. [✓] okay?
4. Proposed s. 36.65 (3) requires the Board of Regents to include information about the agreement in an annual report to the governor and ^{the} legislature that is required under current law. Do you want to include a comparable requirement for the technical colleges or WAICU?
5. The agreement must provide for transferability of not ~~less~~ ^{a few} than 30 credits. If schools have different ways of measuring credits, they may be able to account for those differences in the agreement. However, if you are aware of differences that you want to address by statute, please let me know.
6. As you requested, proposed s. 36.31 (2m) (b) "notwithstands" s. 36.09 (4), ^{stat 505} which vests primary responsibility for academic and educational activities in the UW System faculty. However, s. 36.09 (4) ^{itself} provides that such responsibility is subject to the responsibilities and powers of the Board of Regents, which are affected by this draft. Therefore, I think you can achieve your intent without "notwithstanding" s. 36.09 (4). ^{stat 505} If you think otherwise, let me know.

stat 505

stat 505

7. It may be necessary to clarify the relationship between the requirements of this draft and current law regarding the technical college system's "collegiate transfer program," which is defined under s. 38.01 (3) as "a statewide, full-time program, designated and approved by the [technical college system] board, in which the credits earned may be transferable to a 4-year institution of higher education." Section 38.04 (4) (c) prohibits that program from comprising more than 25% of the approved credit hours offered in any technical college district. Also, s. 38.12 (8) (b) requires technical college district boards to coordinate with the UW System to reduce the duplication of programs and facilities, including the collegiate transfer program. What is the relationship between the courses that will be subject to the agreement and the courses that are subject to the collegiate transfer program under current law? Do you need to make changes to the foregoing statutes to accomplish your intent?

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1199/P1dn
MDK:wlj:ph

January 22, 2013

Breann Boggs:

Please review this draft to make sure it achieves your intent. Also note the following:

1. Under the draft, the credit transfer agreement applies at the private institutions that are members of the Wisconsin Association of Independent Colleges and Universities (WAICU). The private institutions might argue that, although the state can use its police powers relating to health, safety, and welfare to regulate certain aspects of private higher education, the draft exceeds those powers. Also, religious institutions might argue that the draft impermissibly intrudes on rights to provide religious education that are protected by the First Amendment. If you want me to research these issues, please let me know. If you are concerned about challenges based on these issues, you could revise the draft to allow, but not require, WAICU, on behalf of its members, to participate in the agreement. On the other hand, if you think that private institutions are not likely to challenge the draft, no revisions may be necessary.
2. Tribally controlled colleges are not subject to the draft. Is that okay?
3. Is the definition of "core general education courses" in proposed s. 36.31 (2m) (a) 1. okay?
4. Proposed s. 36.65 (3) requires the Board of Regents to include information about the agreement in an annual report to the governor and the legislature that is required under current law. Do you want to include a comparable requirement for the technical colleges or WAICU?
5. The agreement must provide for transferability of not fewer than 30 credits. If schools have different ways of measuring credits, they may be able to account for those differences in the agreement. However, if you are aware of differences that you want to address by statute, please let me know.
6. As you requested, proposed s. 36.31 (2m) (b) "notwithstands" s. 36.09 (4), stats., which vests primary responsibility for academic and educational activities in the UW System faculty. However, s. 36.09 (4), stats., itself provides that such responsibility is subject to the responsibilities and powers of the Board of Regents, which are affected by this draft. Therefore, I think you can achieve your intent without "notwithstanding" s. 36.09 (4), stats. If you think otherwise, let me know.

7. It may be necessary to clarify the relationship between the requirements of this draft and current law regarding the technical college system's "collegiate transfer program," which is defined under s. 38.01 (3), stats., as "a statewide, full-time program, designated and approved by the [technical college system] board, in which the credits earned may be transferable to a 4-year institution of higher education." Section 38.04 (4) (c), stats., prohibits that program from comprising more than 25 percent of the approved credit hours offered in any technical college district. Also, s. 38.12 (8) (b), stats., requires technical college district boards to coordinate with the UW System to reduce the duplication of programs and facilities, including the collegiate transfer program. What is the relationship between the courses that will be subject to the agreement and the courses that are subject to the collegiate transfer program under current law? Do you need to make changes to the foregoing statutes to accomplish your intent?

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Kunkel, Mark

From: Boggs, Breann C - DOA <Breann.Boggs@wisconsin.gov>
Sent: Monday, January 28, 2013 4:25 PM
To: Kunkel, Mark
Subject: RE: Edits 1199P1 core credit transfer

Here's how they are described in Chapter 39 -
"each tribally controlled college in this state"

From: Kunkel, Mark [<mailto:Mark.Kunkel@legis.wisconsin.gov>]
Sent: Monday, January 28, 2013 4:23 PM
To: Boggs, Breann C - DOA
Subject: RE: Edits 1199P1 core credit transfer

One more thing: I'll refer to tribally controlled colleges located in this state.

From: Boggs, Breann C - DOA [<mailto:Breann.Boggs@wisconsin.gov>]
Sent: Monday, January 28, 2013 4:21 PM
To: Kunkel, Mark
Subject: RE: Edits 1199P1 core credit transfer

Sounds perfect! Thanks, Mark.

From: Kunkel, Mark [<mailto:Mark.Kunkel@legis.wisconsin.gov>]
Sent: Monday, January 28, 2013 4:19 PM
To: Boggs, Breann C - DOA
Subject: RE: Edits 1199P1 core credit transfer

As for allowing but not requiring, I'd substitute the following for page 3, lines 5 to 11 of the draft:

(b) Notwithstanding s. 36.09 (4), the Board of Regents and the technical college system board shall, and the governing boards of tribally controlled colleges and the association*, on behalf of private schools**, may, enter into and implement an agreement that identifies core general education courses totaling not fewer than 30 credits and establishes policies for ensuring that, beginning in the 2014-15 academic year, credits for completing the courses are transferable, without loss of credit toward graduation or toward completion of a specific course of study, between and within each institution, college campus, and technical college, and each tribally controlled college and private school that elects to participate in the agreement.

(c) The Board of Regents and technical college system board shall ensure that the governing bodies of tribally controlled schools and the association, on behalf of private schools, have an opportunity to elect to participate in the agreement specified in par. (b).

Notes:

*I'd define association as WAICU.

**I'd define private school as a private, nonprofit institution of higher education that is a member of WAICU.

From: Boggs, Breann C - DOA [<mailto:Breann.Boggs@wisconsin.gov>]
Sent: Monday, January 28, 2013 12:45 PM

To: Kunkel, Mark

Subject: Edits 1199P1 core credit transfer

Hi Mark,

Here are responses to your questions on core credit transfer.

I don't have a clear idea of specific language changes that would accomplish 'allowing, but not requiring' the WAICU/tribal members to participate – so I'm curious to see how you think we can accomplish that.

Also – no changes to the Tech CT program.

Let me know if you have questions.

~ Breann

Breann C. Boggs

State Budget Office

Executive Budget and Policy Analyst

608.266.2843

breann.boggs@wisconsin.gov

Edits to Core Credit Transfer – 1199/P1

Submitted January 28, 2013

Q1: Under the draft, the credit transfer agreement applies at the private institutions that are members of the Wisconsin Association of Independent Colleges and Universities (WAICU). The private institutions might argue that, although the state can use its police powers relating to health, safety, and welfare to regulate certain aspects of private higher education, the draft exceeds those powers. Also, religious institutions might argue that the draft impermissibly intrudes on rights to provide religious education that are protected by the First Amendment. If you want me to research these issues, please let me know. If you are concerned about challenges based on these issues, you could revise the draft to allow, but not require, WAICU, on behalf of its members, to participate in the agreement. On the other hand, if you think that private institutions are not likely to challenge the draft, no revisions may be necessary.

1. Section 4, s.36.31(2m) (2) (b): indicates that "the board of regents, the technical college system board, and the WI Association of Independent Colleges and Universities shall enter into and implement an agreement...."
 - a. The language should require UWS and TECH to enter into and implement the agreement; and allow, but not require, WAICU and the tribal colleges to enter into and implement the agreement
 - b. Also, it should allow for each private institutions (that are members of WAICU or tribal) to choose whether they opt into the agreement (so some might choose to do so – others might not).

Q2. Tribally controlled colleges are not subject to the draft. Is that okay?

2. The tribal controlled colleges should have the option of opting into the agreement.

✓ Q3. Is the definition of "core general education courses" in proposed s. 36.31 (2m) (a) 1. okay?

3. YES

Q4: Proposed s. 36.65 (3) requires the Board of Regents to include information about the agreement in an annual report to the governor and the legislature that is required under current law. Do you want to include a comparable requirement for the technical colleges or WAICU?

4. Technical Colleges should submit a similar report.

Q5: The agreement must provide for transferability of not fewer than 30 credits. If schools have different ways of measuring credits, they may be able to account for those differences in the agreement. However, if you are aware of differences that you want to address by statute, please let me know.

- ✓
5. They can address the differences in credit hours (semester/quarters) – in the agreement

Q6: As you requested, proposed s. 36.31 (2m) (b) "notwithstands" s. 36.09 (4), stats., which vests primary responsibility for academic and educational activities in the UW System faculty. However, s.

36.09 (4), stats., itself provides that such responsibility is subject to the responsibilities and powers of the Board of Regents, which are affected by this draft. Therefore, I think you can achieve your intent without "notwithstanding" s. 36.09 (4), stats. If you think otherwise, let me know.

6. We should leave the notwithstanding phrase in

7. It may be necessary to clarify the relationship between the requirements of this draft and current law regarding the technical college system's "collegiate transfer program," which is defined under s. 38.01 (3), stats., as "a statewide, full-time program, designated and approved by the [technical college system] board, in which the credits earned may be transferable to a 4-year institution of higher education." Section 38.04 (4) (c), stats., prohibits that program from comprising more than 25 percent of the approved credit hours offered in any technical college district. Also, s. 38.12 (8) (b), stats., requires technical college district boards to coordinate with the UW System to reduce the duplication of programs and facilities, including the collegiate transfer program. What is the relationship between the courses that will be subject to the agreement and the courses that are subject to the collegiate transfer program under current law? Do you need to make changes to the foregoing statutes to accomplish your intent?

7. No changes to the tech collegiate transfer program.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1199/P
MDK:wlj:ph

stays

DOA:.....Boggs, BB0372 - Credit transfer policies

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

RM
has
been
run

Do Not Gen

1 AN ACT ..., relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Current law requires the Board of Regents of the UW System to establish policies for transferring credits between institutions within the system. The policies must designate the courses that are transferable without loss of credit toward graduation or toward completion of a specific course of study. In addition, current law allows the Board of Regents to establish policies for transferring credits with educational institutions outside the system. Current law also allows the Technical College System Board, in agreement with the Board of Regents, to designate courses that are transferable for collegiate credit between the Technical College System and the UW System.

This bill requires the ^{the} Board of Regents and Technical College System Board to enter into an agreement regarding transfer of credit for certain courses. ~~the Board of Regents, the Technical College System Board, and the Wisconsin Association of Independent Colleges and Universities (association) The association's membership consists of private, nonprofit institutions of higher education in this state. The courses subject to the agreement are~~ "core general education courses," which the bill defines as courses generally required for an undergraduate degree that are prerequisite or otherwise in addition to the courses required for an undergraduate degree in a specific course of study. The agreement must ensure that, beginning in the 2014-15 academic year, not fewer

than 30 credits of such courses are transferable within and between each UW school technical college ~~and member institution of the association~~. The agreement must also ensure that the courses are transferrable without loss of credit toward graduation or toward completion of a specific course of study. The bill also requires the Board of Regents to include information about the agreement in an annual report current law requires the Board of Regents to submit to the governor and the legislature. Also, the bill requires the Board of Regents to include the courses in a computer-based credit transfer system that is required under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 36.11 (3) (b) of the statutes is amended to read:

36.11 (3) (b) The Subject to s. 36.31 (2m), the board shall establish policies for the appropriate transfer of credits between institutions within the system, including the designation of those courses which shall be transferable between and within institutions without loss of credit toward graduation or toward completion of a specific course of study.

SECTION 2. 36.11 (3) (c) of the statutes is amended to read:

36.11 (3) (c) The Subject to s. 36.31 (2m), the board may establish policies for the appropriate transfer of credits with other educational institutions outside the system.

SECTION 3. 36.11 (3) (cm) 5. of the statutes is created to read:

36.11 (3) (cm) 5. Core general education courses that are subject to the agreement required under s. 36.31 (2m).

SECTION 4. 36.31 (2m) of the statutes is created to read:

36.31 (2m) (a) In this subsection:

21. "Core general education courses" means courses generally required for an undergraduate degree that are prerequisite or otherwise in addition to the courses required for an undergraduate degree in a specific course of study.

Private *INSERT 3-4*
1 3. "School" means ~~an institution or college campus within the system, a~~
2 ~~technical college within the technical college system; or~~ a private, nonprofit
3 institution of higher education that is a member of the Wisconsin Association of
4 Independent Colleges and Universities.

5 (b) Notwithstanding s. 36.09 (4), the Board of Regents, the technical college
6 system board, and the Wisconsin Association of Independent Colleges and
7 Universities shall enter into and implement an agreement that identifies core
8 general education courses totaling not fewer than 30 credits and that establishes
9 policies for ensuring that, beginning in the 2014-15 academic year, credits for
10 completing the courses are transferable between and within each school without loss
11 of credit toward graduation or toward completion of a specific course of study.

12 **SECTION 5.** 36.65 (3) of the statutes is created to read:

13 36.65 (3) CORE GENERAL EDUCATION CREDIT TRANSFERS. The board shall include
14 in the report required under sub. (2) a description of the agreement entered into
15 under s. 36.31 (2m) and a summary of the board's implementation of the agreement.
16 This subsection first applies to the report required under sub. (2) that applies to the
17 2014-15 academic year.

18 **SECTION 6.** 38.04 (4) (cm) of the statutes is created to read:

19 38.04 (4) (cm) The board shall enter into the agreement required under s. 36.31
20 (2m). *INSERT 3-20*

21 (END)

1 private schools, have an opportunity to elect to participate in the agreement specified
2 in par. (b).[✓]

3 **INSERT 3-20:**

4 The board shall submit an annual report to the governor and to the legislature under
5 s. 13.172 (2) that describes the agreement entered into under s. 36.31 (2m) and a
6 summary of the board's implementation of the agreement.

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-199/P2ins
MDK:.....

INSERT 2A:

1 ~~the~~ In addition, the Board of Regents and ~~the~~ Technical College System Board must
ensure that in-state tribally controlled colleges (tribal colleges) and certain private
schools have an opportunity to participate in the agreement. The private schools
that must ensured the opportunity are the nonprofit institutions of higher education
who are members of the Wisconsin Association of Independent Colleges and
Universities (association). The bill allows, but does not does require, participation
by tribal colleges and private schools. If a tribal college or private school participates,
the agreement must ensure that credits for core general educational courses are
transferable within and between each participating tribal college and private school,
as well as UW schools and technical colleges.

INSERT 2B:

2 ~~the~~ The Technical College System Board must also submit an annual report to the
governor and legislature.

INSERT 2-15:

3
4 1. "Association" means the Wisconsin Association of Independent Colleges and
5 Universities.

INSERT 3-4:

6
7 (b) Notwithstanding s. 36.09 (4), the Board of Regents and the technical college
8 system board shall, and the governing boards of tribally controlled colleges in this
9 state and the association, on behalf of private schools, may, enter into and implement
10 an agreement that identifies core general education courses totaling not fewer than
11 30 credits and establishes policies for ensuring that, beginning in the 2014-15
12 academic year, credits for completing the courses are transferable, without loss of
13 credit toward graduation or toward completion of a specific course of study, between
14 and within each institution, college campus, and technical college, and each tribally
15 controlled college and private school that elects to participate in the agreement.

16 ~~the~~ (c) The Board of Regents and ~~the~~ technical college system board shall ensure that
17 the governing bodies of tribally controlled colleges and the association, on behalf of



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1199/P2
MDK:wlj:jf

DOA:.....Boggs, BB0372 – Credit transfer policies

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Current law requires the Board of Regents of the UW System to establish policies for transferring credits between institutions within the system. The policies must designate the courses that are transferable without loss of credit toward graduation or toward completion of a specific course of study. In addition, current law allows the Board of Regents to establish policies for transferring credits with educational institutions outside the system. Current law also allows the Technical College System Board, in agreement with the Board of Regents, to designate courses that are transferable for collegiate credit between the Technical College System and the UW System.

This bill requires the Board of Regents and the Technical College System Board to enter into an agreement regarding transfer of credit for “core general education courses,” which the bill defines as courses generally required for an undergraduate degree that are prerequisite or otherwise in addition to the courses required for an undergraduate degree in a specific course of study. The agreement must ensure that, beginning in the 2014–15 academic year, not fewer than 30 credits of such courses are transferable within and between each UW school and technical college. The agreement must also ensure that the courses are transferrable without loss of credit toward graduation or toward completion of a specific course of study.

In addition, the Board of Regents and the Technical College System Board must ensure that in-state tribally controlled colleges (tribal colleges) and certain private schools have an opportunity to participate in the agreement. The private schools that must be ensured the opportunity are the nonprofit institutions of higher education who are members of the Wisconsin Association of Independent Colleges and Universities (association). The bill allows, but does not does require, participation by tribal colleges and private schools. If a tribal college or private school participates, the agreement must ensure that credits for core general educational courses are transferable within and between each participating tribal college and private school, as well as UW schools and technical colleges.

The bill also requires the Board of Regents to include information about the agreement in an annual report current law requires the Board of Regents to submit to the governor and the legislature. The Technical College System Board must also submit an annual report to the governor and the legislature. Also, the bill requires the Board of Regents to include the courses in a computer-based credit transfer system that is required under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 36.11 (3) (b) of the statutes is amended to read:

2 36.11 (3) (b) ~~The Subject to s. 36.31 (2m),~~ the board shall establish policies for
3 the appropriate transfer of credits between institutions within the system, including
4 the designation of those courses which shall be transferable between and within
5 institutions without loss of credit toward graduation or toward completion of a
6 specific course of study.

7 **SECTION 2.** 36.11 (3) (c) of the statutes is amended to read:

8 36.11 (3) (c) ~~The Subject to s. 36.31 (2m),~~ the board may establish policies for
9 the appropriate transfer of credits with other educational institutions outside the
10 system.

11 **SECTION 3.** 36.11 (3) (cm) 5. of the statutes is created to read:

12 36.11 (3) (cm) 5. Core general education courses that are subject to the
13 agreement required under s. 36.31 (2m).

1 **SECTION 4.** 36.31 (2m) of the statutes is created to read:

2 36.31 **(2m)** (a) In this subsection:

3 1. “Association” means the Wisconsin Association of Independent Colleges and
4 Universities.

5 2. “Core general education courses” means courses generally required for an
6 undergraduate degree that are prerequisite or otherwise in addition to the courses
7 required for an undergraduate degree in a specific course of study.

8 3. “Private school” means a private, nonprofit institution of higher education
9 that is a member of the association.

10 (b) Notwithstanding s. 36.09 (4), the Board of Regents and the technical college
11 system board shall, and the governing boards of tribally controlled colleges in this
12 state and the association, on behalf of private schools, may, enter into and implement
13 an agreement that identifies core general education courses totaling not fewer than
14 30 credits and establishes policies for ensuring that, beginning in the 2014–15
15 academic year, credits for completing the courses are transferable, without loss of
16 credit toward graduation or toward completion of a specific course of study, between
17 and within each institution, college campus, and technical college, and each tribally
18 controlled college and private school that elects to participate in the agreement.

19 (c) The Board of Regents and the technical college system board shall ensure
20 that the governing bodies of tribally controlled colleges and the association, on behalf
21 of private schools, have an opportunity to elect to participate in the agreement
22 specified in par. (b).

23 **SECTION 5.** 36.65 (3) of the statutes is created to read:

24 36.65 **(3)** CORE GENERAL EDUCATION CREDIT TRANSFERS. The board shall include
25 in the report required under sub. (2) a description of the agreement entered into

1 under s. 36.31 (2m) and a summary of the board's implementation of the agreement.
2 This subsection first applies to the report required under sub. (2) that applies to the
3 2014–15 academic year.

4 **SECTION 6.** 38.04 (4) (cm) of the statutes is created to read:

5 38.04 (4) (cm) The board shall enter into the agreement required under s. 36.31
6 (2m). The board shall submit an annual report to the governor and to the legislature
7 under s. 13.172 (2) that describes the agreement entered into under s. 36.31 (2m) and
8 a summary of the board's implementation of the agreement.

9 (END)